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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,349	03/09/2004	H. Thomas Graef	D-1217 R4	1985
28995	7590	03/07/2006		EXAMINER
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256				KUMAR, RAKESH
			ART UNIT	PAPER NUMBER
				3654

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/796,349	GRAEF ET AL.
	Examiner Rakesh Kumar	Art Unit 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11/29/2005 (Remarks).
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) 13 and 17 is/are allowed.
- 6) Claim(s) 1-12,14-16,18- 20 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03/09/2004 and amendment 11/29/2005 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: ____.

DETAILED ACTION

1. Applicant's arguments filed 11/29/2005 have been fully considered but they are not persuasive for reasons detailed below.
2. The 35 U.S.C. 112 rejections are maintained or modified as follows:
3. These rejections have been withdrawn.
4. Drawing objection. Applicant's arguments, see page 10, line 6 filed 11/29/2005, with respect to newly added Figure 18A have been fully considered and are persuasive. The drawing objection of the original Office Action 08/29/2005 has been withdrawn.
5. Specification objection. Applicant's arguments, see Amendment to the Specifications, page 9 line 9 filed 11/29/2005, with respect to misprint have been fully considered and are persuasive. The specification objection of the original Office Action 08/29/2005 has been withdrawn.
6. Claim 1. Applicant's arguments, see page 12 line 16 filed 11/29/2005, with respect to "releasing force" have been fully considered and are persuasive. The rejection of claim 4, under 35 U.S.C. 112 second paragraph of the original Office Action 08/29/2005 has been withdrawn.

7. Claim 4. Applicant's arguments, see page 12 line 16 filed 11/29/2005, with respect to disengaging picking member (218) from drive shaft (274) have been fully considered and are persuasive. The rejection of claim 4, under 35 U.S.C. 112 second paragraph of the original Office Action 08/29/2005 has been withdrawn.

8. The prior art rejections are maintained or modified as follows:

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 1 rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Patent Number 6,128,402) in view of Suga et al. (U.S. Patent Number 6,260,840).

11.

12. Referring to claim 1. Jones discloses a currency processing system, describing a method comprising:

(a) deforming a first leaf spring (253; Figure 23 and 24) portion integrally formed on a housing (Col. 42 line 60) within a cash dispensing automated

banking machine (Figure 1a), releasing force holding a passive transport roll (250) adjacent a rotatable sheet driving roller member (223; Figure 20a);

(b) subsequent to (a), *(the first leaf spring 253 must be deformed prior to moving the passive transport roll 250 away from contact with the driving roller 223; see Figure 20a)* moving the passive transport roll (250) away from the driving roller member (223; Figure 20a).

Jones does not specifically disclose the leaf spring (253) to be operatively engaging a stripping member, which in turn is adjacent to a rotatable sheet picking member.

Suga et al. discloses a method for a first spring member (73a; Figure 3) biasing a releasing force holding a stripping member (53) adjacent a rotatable sheet picking member (51).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified the apparatus of Jones and include a biasing spring mechanism in engagement with stripping member as taught by Suga, thus provide a leaf spring (253; Figure 23; Jones) in engagement with a stripping member (220; Figure 20a; Jones) adjacent a rotatable sheet picking member (223; Figure 20a; Jones) such that deforming a leaf spring is required subsequent to moving the stripping member (220) away from the picking member (223). Because, the stripping member (205; Jones) could be biased below the bottom wall (205; Figure 20a) and easily removed for maintenance.

13. Claims 2, 3 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over in Jones in view of Suga as applied to claim 1 above, and further in view of Furuki et al. (U.S. Patent Number 6,000,689).

14. Referring to claims 2,3,14-16,18 and 20. Jones disclose the method of using integrally formed leaf springs (see claim 1) biasing a roller member wherein the leaf spring must be deformed subsequent to moving the roller member away from it driving roller.

Jones does not disclose a carry away biased by a spring adjacent to a picking member.

Furuki et al. describes a method for automatic paper feeding wherein deforming a second spring (23; Figure 10B) releases a force holding a carry away member (22a) adjacent the picking member (3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified a biasing spring mechanism integrally formed on the housing as taught by Jones in view Suga and include a spring biased carry away roller (22) adjacent to a picking member (3), because routine maintenance can easily be performed by simply moving the carry away roller away from each other by the subsequent biasing of a leaf spring.

15. Referring to claims 14 and 15. With respect to claim 14 and 15, Furuki et al. discloses a method of receiving a signal input through a rotation amount setting means 37, which forwards a signal to a control unit 31. The control unit 31 through the means of a step motors 30, 36 rotates the picking member 3 while engaged to media tray 2 and advancing a single sheet media 1 through the assembly in the downstream direction (see Figure 30 Col 7 line 60-64).

Furuki et al. does not disclose the input being derived in particular from a user.

It would have been obvious to one skilled in the art at the time of the invention was made to modify the teaching of Jones in view of Suga and include a input signal as taught by Furuki as a signal that is activated by the user or by a sensor that detects the presence of the user. Thus the embodiment is only active when it is in use and as a result will reduce the wear on the assembly parts.

16. Referring to claims 16,18 and 20. See claims above.

Allowable Subject Matter

17. Claims 13 and 17 are allowable.

18. Claims 4-12 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

19. Applicant's arguments that the prior art fails to teach the claimed features are unpersuasive.

Applicant's arguments, with respect to the drawing and the specification have been fully considered and are persuasive. The objections and the 35 U.S.C. 112 second paragraph rejection for claims 1 and 4 have been withdrawn, see above.

Applicant's arguments with the clarification of the objections and claims 1, 4 and 16, see remarks pages 10-15, filed 11/29/2005, with respect to claims 4-12 and 19 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection are made in view of being dependent upon a rejected base claim.

Claims 13 and 17 were amended as requested in the original Office Action 08/29/2005 to being dependent upon a rejected base claim, thus are allowable.

Applicant's arguments, see page 13 line 9 and page 14 line 8, filed 11/29/2005, with respect to the rejection(s) of claim(s) 3,14-16,18 and 20 under 35 U.S.C. 102(b) and 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the teaching of Jones and Suga, see above.

20. Examiner has maintained the prior art rejections, statutory rejections and drawing objections as previously stated and as modified above.

Conclusion

21. Any references not explicitly discussed above but made of record are considered relevant to the prosecution of the instant application.

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rakesh Kumar whose telephone number is (517) 272-8314. The examiner can normally be reached on 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RK

March 3, 2006



KATHY MATECKI
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